

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VANCE ELLIOTT,

Plaintiff,

No. C 06-80274 MISC PJH

v.

ORDER

THE AMERICAN PSYCHIATRIC
ASSOCIATION, et al.,

Defendants.

Plaintiff Vance Elliott, who has been adjudged a vexatious litigant for purposes of actions filed in this district, seeks leave of court to file a new action. On September 5, 2006, the court denied plaintiff's request, due to the court's inability to determine whether the claims asserted in connection with the new action are the subject of or are related to the claims previously asserted by plaintiff, in which case leave of court would be required prior to filing. The court is now in receipt of plaintiff's second, amended request to file a new action, filed October 26, 2006. The action appears to be an amended complaint, while not expressly titled as such, as it has been filed bearing the same case number as plaintiff's original, denied request.

Plaintiff's amended request is DENIED. Plaintiff was not given leave, in the court's September order, to file an amended complaint. Moreover, as with plaintiff's original complaint, plaintiff's amended complaint is largely illegible. Accordingly, the court is again unable to determine whether the claims asserted are the subject of or are related to the claims previously asserted by plaintiff.

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United States District Court
For the Northern District of California

IT IS SO ORDERED.

Dated: October 31, 2006



PHYLLIS J. HAMILTON
United States District Judge